

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

Claims 1-11 have been amended as required by the Office Action. Claims 1-11 remain pending in the application. Claims 1 and 6 are independent. The objection and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

Claims 1-11 have been amended in response to the rejection under 35 U.S.C. § 112, second paragraph. Entry of each of the amendments is respectfully requested. With regard to the "steps" terminology employed in the claims, the examiner is directed to the disclosure at, for example, specification page 5/8, lines 1-15.

The objection to the specification and the rejection under 35 U.S.C. § 112, first paragraph, are respectfully traversed. The present Office Action states that "Applicant provides no factual support for the assertion that such a measurement head would have necessarily provided measurements at time-equidistant intervals" (Office Action page 4).

Applicants respectfully disagree, and submit that no issue of new matter was introduced by the Amendment filed March 19, 2009. The amendments to the written description portion of the specification and to the claims that were made in the

aforementioned Amendment reflect the discussions held during the personal interview of March 17, 2009. With regard to "factual support," see the below-quoted remarks from the paragraph bridging pages 7 and 8 of Applicants' March 19, 2009, Amendment:

Specification page 7/8 has been amended for purposes of clarity of disclosure, i.e., to make explicit that which is implicit in the original disclosure. Support for the amendment is found, e.g., in the implicit teaching of the original written description at specification page 7/8, *in the depiction in Figure 2 of the path 19 created by movement of the measuring head 12*, and from the knowledge of one skilled in the art at the time of invention. From the aforementioned sources of support, one skilled in the art would recognize that *since the measuring head 12 moves at a uniform speed (in a uniform zigzag pattern) along the surface of the extruded film 8, it provides a uniform, i.e., time-equidistant, measurement of the film thickness.* (Emphasis added)

The examiner is again directed to Figure 2 of the application. The "factual support" is found in **the depiction of the path 19 created by movement of the measuring head 12**. Figure 2 shows that the path is traced by consecutive equal-sized, equal-angled, i.e., "uniform" triangles. Since the measuring head moves at a uniform speed along the surface of the extruded film, and since the path that is traced by the measuring head is one of consecutive equal-sized, equal-angled, i.e., "uniform" triangles, the measurement is, of course, time-equidistant.

Reconsideration of the objection to the specification and the rejection under § 112, first paragraph, are respectfully requested.

35 U.S.C. § 103(a) - Dahlin, Akasaka, and Hirata

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,610,899 to Dahlin in view of U.S. Patent No. 4,994,976 to Akasaka and further in view of U.S. Patent No. 6,856,855 to Hirata et al. (hereinafter "Hirata").

The rejection of claims 1-11 under § 103(a) based on the combined disclosures of Dahlin, Akasaka, and Hirata is respectfully traversed. For at least the reasons presented in Applicants' Amendment of March 19, 2009 (specifically with regard to Hirata), and for the following reasons, the combined disclosures of Dahlin, Akasaka, and Hirata would not have rendered obvious Applicants' claimed invention.

The combined disclosures of Dahlin, Akasaka, and Hirata do not teach all of Applicants' claim features. Applicants' claimed process requires, inter alia, that "the measured values obtained during a predetermined time-frame at a start of the extrusion process [be] more heavily weighted by the computer than the measured values obtained during operation subsequent to the predetermined start time-frame" (claim 1).

Dahlin discloses a method of maintaining the basis weight of paper produced by a machine. The Office Action asserts that Dahlin discloses "measuring thickness values in equidistant time intervals" and relies upon the disclosure in Dahlin's "Figure 6 and 3A" (Office Action page 8). According to Dahlin, the latest

measurement is filtered by an exponential weighting. However, this filter is applied to all measurements, not only the measurements made at the beginning of the production process (see Dahlin column 3, lines 21-25). That is not Applicants' claimed process or device.

Akasaka discloses that a variation of heat at the beginning of the extrusion process (see Figure 13B) leads to a variation of the thickness profile (see Figure 13A). In fact, Akasaka's Figures 13A and 13B clearly show what happens if a conventional closed loop control is used in order to obtain the desired thickness. First, the measured thickness lies below the target thickness. Therefore, the film is heated. But then, the film thickness is elevated above the desired thickness. Therefore, the heat transfer is reduced. Again the film thickness drops below the desired thickness. However, the magnitude of the deviation will reduce by the time, and the film thickness will level off at the desired film thickness.

The aforementioned scenario illustrates the basic problem that Applicants' invention addresses: the oscillation of the measured thickness around the desired thickness. The problem is certainly not solved by the disclosures Dahlin and Akasaka, because, as pointed out above, neither reference deals with this problem.

And, the disclosure of Hirata does not rectify the deficiencies of Dahlin and Akasaka. As explained in detail in

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Applicants' Amendment of March 19, 2009, according to Hirata, the thickness measurements are performed in *non-equidistant* time intervals.

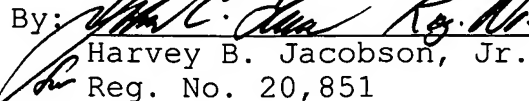
Furthermore, in view of the aforementioned differences, there is simply no teaching in Dahlin, Akasaka, and Hirata that would have led one to select the references and combine them, let alone in a way that would produce the invention defined by Applicants' process claim 1. The invention defined by apparatus claim 6 is similarly nonobvious.

Accordingly, the combined disclosures of Dahlin, Akasaka, and Hirata would not have rendered obvious the embodiments of the invention defined by any of Applicants' claims 1-11.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that another interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

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